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DEC 12 2006

Applicant: GLENN, Bradley J.
Serial No.: 10/671,640
Filed: 09/26/2003
For: Intervertebral Space Implant for Use
in Spinal Fusion Procedures

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

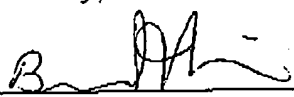
Docket No.: 3121.001

TRANSMITTAL LETTER

Transmitted herewith and affixed hereto please find the following (5 total pages):

- ☒ A request to correct power of attorney and restart period for response to outstanding office action (including an Exhibit A).

Respectfully,

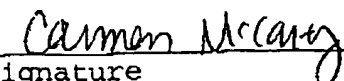

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12-12-06
Dated

CERTIFICATE OF TRANSMISSION -- MPEP 502.01

I hereby certify that this correspondence is being
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Carmen E. McCarty


Signature

December 12, 2006
Dated

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UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/671,640
Applicant : GLENN, Bradley J.
Filed : 09/26/2003
TC/A.U. : 3733
Examiner : PHILOGENE, Pedro
Docket No. : 3121.001

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT POWER OF ATTORNEY
AND RESTART PERIOD FOR RESPONSE TO
OUTSTANDING OFFICE ACTION

Applicant hereby respectfully requests correction of power of attorney in the above-identified case. On January 14, 2004 a revocation and power of attorney document was submitted by Shemwell Gregory & Courtney LLP with regard to Serial No. 10/670,640 (a copy of which is attached as Exhibit A). That serial number is for a different case than for the above-identified case. Note that these serial numbers are almost the same. Apparently, Patent Office personnel inadvertently entered this revocation and power of attorney document in this case, causing power of attorney for the undersigned to be revoked in this case. This error also caused correspondence relating to this case to be directed to the submitter of the other power of attorney.

Because the change of power of attorney in this case should never have occurred, applicant respectfully requests that power of attorney be restored to the firm originally holding power of attorney in this case, as follows:

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Furthermore, applicant notes that a first substantive Office action was mailed in this case on June 26, 2006. Applicant became aware of this error and the existence of this first substantive Office action on December 7, 2006. Applicant respectfully requests that the period for response to this first substantive Office action be restarted so that applicant will have time to evaluate the best course of action. Should the examiner or other office personnel have questions regarding this request, applicant requests that such office personnel contact the undersigned, preferably by telephone.

Respectfully Submitted:



Bradley P. Heisler
Applicant's Attorney
Telephone (916) 781-6634
Registration No.: 35,892

12-12-06

Date